

**Wayne E. Borgeest  
Joan M. Gilbride  
Robert A. Benjamin  
KAUFMAN BORGEEST & RYAN LLP  
200 Summit Lake Dr  
Valhalla, New York 10595  
(914) 741-6100 (Telephone)  
(914) 741-0025 (Facsimile)  
[wborgeest@kbrlaw.com](mailto:wborgeest@kbrlaw.com)  
[jgilbride@kbrlaw.com](mailto:jgilbride@kbrlaw.com)  
[rbenjamin@kbrlaw.com](mailto:rbenjamin@kbrlaw.com)**

*Attorneys for Axis Reinsurance Company*

DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

|                             |   |                       |
|-----------------------------|---|-----------------------|
| AXIS REINSURANCE COMPANY,   | : | X                     |
|                             | : |                       |
| Plaintiff,                  | : |                       |
| v.                          | : |                       |
| PHILLIP R. BENNETT, et al., | : |                       |
|                             | : |                       |
| Defendants.                 | : |                       |
|                             | : |                       |
|                             | X |                       |
| In re                       | : |                       |
|                             | : | Chapter 11            |
| REFCO, INC., et al.,        | : |                       |
|                             | : | Case No. 05-60006-RDD |
| Debtors.                    | : |                       |
|                             | : | Jointly Administered  |
|                             | X |                       |
| AXIS REINSURANCE COMPANY,   | : |                       |
|                             | : |                       |
| Plaintiff,                  | : |                       |
| v.                          | : |                       |
| PHILLIP R. BENNETT, et al., | : |                       |
|                             | : |                       |
| Defendants.                 | : |                       |
|                             | : |                       |

----- X  
TONE N. GRANT, et al., : Adv. Proc. 07-02005-RDD  
Plaintiffs, :  
v. :  
AXIS REINSURANCE COMPANY, :  
Defendant. :  
----- X  
LEO R. BREITMAN, et al., : Adv. Proc. No. 07-02032-RDD  
Plaintiffs, :  
v. :  
AXIS REINSURANCE COMPANY, :  
Defendant. :  
----- X  
AXIS REINSURANCE COMPANY, :  
Plaintiff, : (1) No. 07-CV-09420-GEL  
v. : (2) No. 07-CV-09842-GEL  
PHILLIP R. BENNETT, et al., : (3) No. 07-CV-10302-GEL  
Defendants. :  
----- X  
TONE N. GRANT, et al., : No. 07-CV-09843-GEL  
Plaintiffs, :  
v. :  
AXIS REINSURANCE COMPANY, :  
Defendant. :  
----- X

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK )  
                            )       S.S.:  
COUNTY OF WESTCHESTER )

1. ROBERT A. BENJAMIN, the undersigned deposes and says: I am over 18 years of age, am not a party in the above-captioned case, and am an attorney with the firm Kaufman Borgeest & Ryan LLP.

2. On January 14, 2008, I caused to be served a true and correct copy of the following documents to be served via electronic mail notification to the parties listed on Exhibit A attached hereto:

- Axis Reinsurance Company's Motion to Stay the Bankruptcy Court's Order of October 19, 2007;
- Declaration of Joan M. Gilbride; and
- Affidavit of Harold Neher

Dated: Valhalla, New York  
January 14, 2008



ROBERT A. BENJAMIN

KAUFMAN BORGEEST & RYAN LLP  
200 Summit Lake Drive  
Valhalla, New York 10595  
(914) 741-6100 (Telephone)  
(914) 741-0025 (Facsimile)  
[rbenjamin@kbrlaw.com](mailto:rbenjamin@kbrlaw.com)

**EXHIBIT A**

Gabriel Del Virginia  
Law Offices of Gabriel Del Virginia  
641 Lexington Avenue  
21<sup>st</sup> Floor  
New York, NY 10022  
[Gabriel.delvirginia@verizon.net](mailto:Gabriel.delvirginia@verizon.net)

Michael F. Walsh  
Greg A. Danilow  
Paul A. Ferrillo  
Paul Dutka  
Weil Gotshal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153  
[Michael.walsh@weil.com](mailto:Michael.walsh@weil.com)  
[Greg.danilow@weil.com](mailto:Greg.danilow@weil.com)  
[Paul.ferrillo@weil.com](mailto:Paul.ferrillo@weil.com)  
[Paul.dutka@weil.com](mailto:Paul.dutka@weil.com)

Norman L. Eisen  
Zuckerman Spaeder LLP  
1800 M Street, NW  
Washington, DC 20036  
[neisen@zuckerman.com](mailto:neisen@zuckerman.com)

Matthew R. Goldman  
Wendy J. Gibson  
Baker Hostetler LLP  
3200 National City Center  
1900 East Ninth Street  
Cleveland, OH 44114-3485  
[mgoldman@bakerlaw.com](mailto:mgoldman@bakerlaw.com)  
[wgibson@bakerlaw.com](mailto:wgibson@bakerlaw.com)

Helen B. Kim  
Baker Hostetler LLP  
333 South Grand Avenue, Suite 1800  
Los Angeles, CA 90071-1523  
[hkim@bakerlaw.com](mailto:hkim@bakerlaw.com)

Richard Soto  
Scott E. Hershman  
Stephen R. Blacklocks  
Hunton & Williams LLP  
200 Park Avenue  
New York, NY 10166  
[rsoto@hunton.com](mailto:rsoto@hunton.com)  
[shershman@hunton.com](mailto:shershman@hunton.com)  
[sblacklocks@hunton.com](mailto:sblacklocks@hunton.com)

Stuart I. Friedman  
Ivan O. Kline  
Elizabeth D. Meacham  
Friedman & Wittenstein  
600 Lexington Avenue  
New York, NY 10022  
[sfriedman@friedmanwittenstein.com](mailto:sfriedman@friedmanwittenstein.com)  
[ikline@friedmanwittenstein.com](mailto:ikline@friedmanwittenstein.com)  
[emeachem@friedmanwittenstein.com](mailto:emeachem@friedmanwittenstein.com)

Lisa L. Lambert  
Office of United States Trustee  
271 Cadman Plaza East, Suite 4529  
Brooklyn, NY 11201  
[Lisa.l.lambert@usdoj.gov](mailto:Lisa.l.lambert@usdoj.gov)

Luc A. Despins  
Milbank Tweed Hadley & McCloy LLP  
1 Chase Manhattan Plaza  
New York, NY 10005  
[ldespins@milbank.com](mailto:ldespins@milbank.com)

Richard Cashman  
Heller Ehrman LLP  
7 Times Square  
New York, NY 10036  
[Holly.kulka@hellerehrman.com](mailto:Holly.kulka@hellerehrman.com)

J. Gregory Milmoe  
Skadden, Arps, Slate, Meager & Flom LLP  
4 Times Square  
New York, NY 10036  
[jmilmoe@skadden.com](mailto:jmilmoe@skadden.com)

Steven Wilamowsky  
Timothy B. DeSieno  
Mark W. Deveno  
Bingham McCutcheon LLP  
399 Park Avenue  
New York, NY 10022  
[Steven.wilamowsky@bingham.com](mailto:Steven.wilamowsky@bingham.com)  
[Tim.desieno@bingham.com](mailto:Tim.desieno@bingham.com)  
[Mark.deveno@bingham.com](mailto:Mark.deveno@bingham.com)

Donald S. Bernstein  
Davis Polk & Wardwell  
450 Lexington Avenue  
New York, NY 10017  
[Dpw.refco@dpw.com](mailto:Dpw.refco@dpw.com)

Susheel Kirpalani  
Quinn Emanuel Urquhart Oliver & Hedges  
LLP  
51 Madison Avenue  
New York, NY 10017  
[susheelkirpalani@quinnmanuel.com](mailto:susheelkirpalani@quinnmanuel.com)

Barbara Moses  
Rachel Marissa Korenblat  
Morvillo Abramowitz Grand Lason Anello &  
Bohrer PC  
565 Fifth Avenue  
New York, NY 10017  
[bmoses@maglaw.com](mailto:bmoses@maglaw.com)  
[rkorenblat@maglaw.com](mailto:rkorenblat@maglaw.com)

Robert M. Novick  
Jeffrey R. Gleit  
Kasowitz Benson Torres & Friedman LLP  
1633 Broadway  
New York, NY 10019  
[rnovick@kasowitz.com](mailto:rnovick@kasowitz.com)  
[jgleit@kasowitz.com](mailto:jgleit@kasowitz.com)

Jeffrey T. Golenbock  
Adam C. Silverstein  
Golenbock Eiseman Assor Bell & Peskoe  
LLP  
437 Madison Avenue  
New York, NY 10022  
[jgolenbock@golenbock.com](mailto:jgolenbock@golenbock.com)  
[asolverstein@golenbock.com](mailto:asolverstein@golenbock.com)

Michael T. Hannafan  
Blake Tyler Hannafan  
Hannafan & Hannafan Ltd  
One East Wacker Drive, Suite 1208  
Chicago, IL 60601  
[mth@hannafanlaw.com](mailto:mth@hannafanlaw.com)  
[bth@hannafanlaw.com](mailto:bth@hannafanlaw.com)

Ona T. Wang  
Baker Hostetler LLP  
45 Rockefeller Plaza, 11<sup>th</sup> Floor  
New York, NY 10111  
owing@bakerlaw.com

Daniel J. Standish  
Jonathan M. Jacobs  
Cara T. Duffield  
Wiley Rein LLP  
1776 K Street, NW  
Washington, DC 20006  
dstandish@wileyrein.com  
jjacobs@wileyrein.com  
cduffield@wileyrein.com

Joseph L. Chairez  
Baker Hostetler LLP  
600 Anton Boulevard, Suite 900  
Costa Mesa, CA 92626  
jchairez@bakerlaw.com

Dylan G. Trache  
Wiley Rein LLO  
7925 Jones Branch Drive  
McLean, VA 22102  
dtrache@wileyrein.com